

JUL 08 2004

0350 1616

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PTO/SB/21 (03-03)
Approved for use through 04/30/2003. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|----------------------|------------------------|----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/845,765 | |
| | Filing Date | 04/30/2001 | |
| | First Named Inventor | George Jackowski | |
| | Art Unit | 1616 | |
| | Examiner Name | | |
| Total Number of Pages in This Submission | 13 | Attorney Docket Number | 2132.036 |

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| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC) |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal C ommunication (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual | Ferris H. Lander McHale & Slavin, P.A. |
| Signature | <i>Ferris H. Lander</i> |
| Date | 9/2/2003 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|---|-----------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 9-2-2003 | |
| Typed or printed | Debra N. Gerstemeier |
| Signature | <i>Debra N. Gerstemeier</i> |
| Date | 9-2-2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

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FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number 09/845,765
 Filing Date 04/30/2001
 First Named Inventor George Jackowski
 Examiner Name
 Art Unit 1616
 Attorney Docket No. 2132.036

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☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 465.00)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit
 Account
 Number
 Deposit
 Account
 Name

50-1803

Syn X Pharma, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|-------------------------------|-------------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 84 | 2201 42 | Independent claims in excess of 3 |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-------------|----------|-------------|----------|--|----------|
| 1051 130 | | 2051 65 | | Surcharge - late filing fee or oath | |
| 1052 50 | | 2052 25 | | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | | 1053 130 | | Non-English specification | |
| 1812 2,520 | | 1812 2,520 | | For filing a request for ex parte reexamination | |
| 1804 920* | | 1804 920* | | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | | 1805 1,840* | | Requesting publication of SIR after Examiner action | |
| 1251 110 | | 2251 55 | | Extension for reply within first month | |
| 1252 410 | | 2252 205 | | Extension for reply within second month | |
| 1253 930 | | 2253 465 | | Extension for reply within third month | 465.00 |
| 1254 1,450 | | 2254 725 | | Extension for reply within fourth month | |
| 1255 1,970 | | 2255 985 | | Extension for reply within fifth month | |
| 1401 320 | | 2401 160 | | Notice of Appeal | |
| 1402 320 | | 2402 160 | | Filing a brief in support of an appeal | |
| 1403 280 | | 2403 140 | | Request for oral hearing | |
| 1451 1,510 | | 1451 1,510 | | Petition to institute a public use proceeding | |
| 1452 110 | | 2452 55 | | Petition to revive - unavoidable | |
| 1453 1,300 | | 2453 650 | | Petition to revive - unintentional | |
| 1501 1,300 | | 2501 650 | | Utility issue fee (or reissue) | |
| 1502 470 | | 2502 235 | | Design issue fee | |
| 1503 630 | | 2503 315 | | Plant issue fee | |
| 1460 130 | | 1460 130 | | Petitions to the Commissioner | |
| 1807 50 | | 1807 50 | | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | | 1806 180 | | Submission of Information Disclosure Stmt | |
| 8021 40 | | 8021 40 | | Recording each patent assignment per property (times number of properties) | |
| 1809 750 | | 2809 375 | | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 750 | | 2810 375 | | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 750 | | 2801 375 | | Request for Continued Examination (RCE) | |
| 1802 900 | | 1802 900 | | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 465.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Ferris H. Lander

Registration No.
(Attorney/Agent)

43,377

Telephone 561-625-6575

Signature

Ferris H. Lander

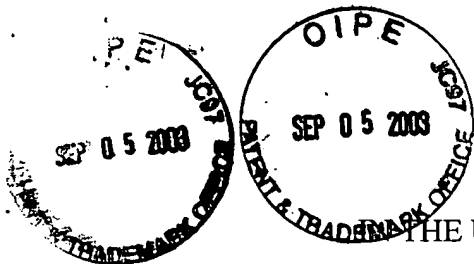
Date

9/2/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : JACKOWSKI et al.
INVENTION: : BIOPOLYMER MARKER INDICATIVE OF DISEASE
STATE HAVING A MOLECULAR WEIGHT OF
1518 DALTONS
SERIAL NUMBER : 09/845,765
FILING DATE : April 30, 2001
EXAMINER: : (not assigned yet)
GROUP ART UNIT : 1616
ATTORNEY DOCKET NO. : 2132.036

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being
deposited with the U.S. Postal Service as First Class mail
in an envelope addressed to Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450 on 9-2-2003

Mail Stop: Application Number
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the above-identified application, Applicants have received a Notice to File Corrected Application Papers Date Granted, mailed April 29, 2003, indicating that the drawings filed with the above-identified application on April 30, 2001, did not comply with 37 C.F.R. §1.84.

Applicants hereby submit replacement drawings in compliance with 37 CFR. §1.84 into the application as submitted herewith. No new matter is added.

The Notice also indicated that the application did not include the sequence list under 37 C.F.R. 1.821-1.825. Applicants previously complied with the requirement by filing the sequence list (paper copy and diskette) on April 19, 2002. A copy of the PTO database is enclosed which indicates the requirement has been met and entered as number 5 in the file contents history.

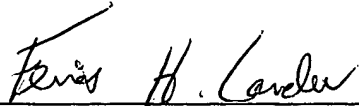
Applicant also submits herewith a copy of the Notice to File Corrected Application Papers dated April 29, 2003.

Having now complied with all of the outstanding filing requirements, Applicants respectfully request that this application be placed upon the files for examination.

The Commissioner for Patents is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayments in any fees paid on the filing, or during prosecution of this application to Deposit Account No. 50-1803.

Date: 2/2/2003

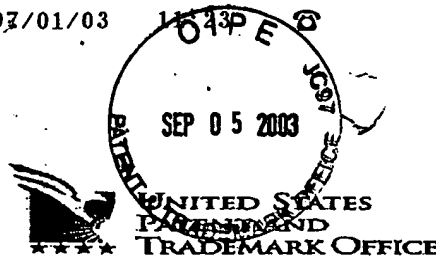
Respectfully Submitted,



Ferris H. Lander
Reg. No. 43,377
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2855 PGA Boulevard
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Telephone: (561) 625-6575

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Commissioner for Patents
Washington, DC 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/845,765 | 04/30/2001 | George Jackowski | 2132.036 |

CONFIRMATION NO. 4961

21917
MCHALE & SLAVIN
4440 PGA BLVD
SUITE 402
PALM BEACH GARDENS, FL 33410

FORMALITIES LETTER



OC000000009927726

Date Mailed: 04/29/2003

5-29-03
6-29-03 DL**NOTICE TO FILE CORRECTED APPLICATION PAPERS*****Filing Date Granted***

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 1, 2.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY